

THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

BRUCE JAMISON,

Plaintiff,

vs.

ROCKINGHAM CASUALTY
INSURANCE COMPANY,

Defendant.

Civil No: 2:19-cv-00814

Honorable Marilyn J. Horan

MOTION TO COMPEL DEPOSITION

1. Pursuant to Federal Rule of Civil Procedure 30, Defendant scheduled the deposition of Plaintiff, Bruce Jamison, to take place on February 27, 2020. A true and correct copy of the Notice of Deposition is attached as Exhibit A.

2. Plaintiff, Bruce Jamison, was not available on February 27th, and at his request, the deposition was rescheduled for March 5, 2020. A true and correct copy of the Amended Notice of Deposition is attached as Exhibit B.

3. Plaintiff failed to appear at his deposition scheduled for March 5, 2020.

4. Defendant is severely prejudiced in its defense of this case due to Plaintiff's failure to appear for a deposition.

5. Further, Plaintiff's failure to appear has necessitated the filing of a Motion to Enlarge time for Mediation and Motion to Enlarge Time for Fact Discovery.

6. Accordingly, Defendant requests that this Honorable Court order that Plaintiff appear for his deposition within the next thirty days, or suffer further sanctions as the Court deems appropriate.

7. The substance of this Motion was discussed with counsel prior to filing. Counsel's position with regard to the Motion is unknown.

WHEREFORE, Defendant respectfully requests that this Honorable Court enter an order compelling the deposition of the Plaintiff.

Respectfully Submitted,

ROBB LEONARD MULVIHILL LLP

Dated: March 5, 2020

/s/ Samantha D. Farrell
Samantha Farrell, Esquire
PA ID # 313999
BNY Mellon Center
500 Grant Street, Suite 2300
Pittsburgh, PA 15219
P: (412) 281-5431
F: (412) 281-3711
Email: sfarrell@rlmlawfirm.com